

ing that it was adulterated and misbranded. It was labeled in part: "Gortons G P Cod Liver Oil Fortified."

The article was alleged to be adulterated in that a valuable constituent, namely, vitamin D, had been wholly or in part omitted or abstracted therefrom. It was alleged to be misbranded in that the following statement was false since it was incorrect: "400 Units Vitamin D Per Gram A O A C."

The libel alleged that the article was also adulterated and misbranded under the provisions of the act applicable to drugs, as reported in notices of judgment on drugs and devices.

On July 3, 1941, Gorton Pew Fisheries Co., Gloucester, Mass., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

DAIRY PRODUCTS

BUTTER

2157. Adulteration of butter. U. S. v. Harding Cream Division of Sugar Creek Creamery Co. Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 2957. Sample No. 16171-E.)

On April 19, 1941, the United States attorney for the Western District of Missouri filed a libel against the Harding Cream Division of Sugar Creek Creamery Co., a corporation at Kansas City, Mo., alleging shipment on or about September 18, 1940, from the State of Missouri into the State of Kansas, of a quantity of butter that was adulterated. It was labeled in part: "Springtime Brand Butter churned by Talbot, Woods & Co. Kansas City, Kans."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On July 18, 1941, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25 and costs.

Nos. 2158 to 2164 report the seizure and disposition of butter that contained excessive mold.

2158. Adulteration and misbranding of butter. U. S. v. 56 1-Pound Prints and 72 Rolls of Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 5279, 6179. Sample Nos. 29724-E, 79126-E.)

One lot of this product contained mold and the other was deficient in milk fat. Both lots were short of the declared weight.

On July 16 and October 20, 1941, the United States attorney for the Eastern District of Kentucky filed libels against 56 1-pound prints of butter at Covington, Ky., and 72 1-pound rolls of butter at Newport, Ky., alleging that the article had been shipped in interstate commerce on or about July 10 and October 13, 1941, by Armleder's Dairy Co. or Armleder Cooperative Creamery from Batavia, Ohio; and charging that it was adulterated and misbranded. It was labeled in part: "Armleder's Butter."

A portion of the article was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance and was otherwise unfit for food. The remainder was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Both lots were alleged to be misbranded in that it was food in package form and its labeling was false and misleading in that the parchment wrapper was marked "One Pound Net"; whereas the packages contained less than 1 pound net.

On August 12 and November 13, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

2159. Adulteration of butter. U. S. v. 14 Cartons of Butter. Default decree of condemnation and destruction. (F. D. C. No. 5220. Sample No. 59350-E.)

On July 9, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 14 cartons, consisting of 443 1-pound prints, of butter at Charleston, W. Va., alleging that the article had been shipped in interstate commerce on or about June 28, 1941, by Beatrice Creamery Co. from Cincinnati, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance. The article was labeled in part: "Clover Hill Butter."

On July 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.